

NOTICE OF VIOLATION

Port Huron Hospital
Port Huron, Michigan

License No. 21-20137-01
Docket No. 030-18005

As a result of the inspection conducted on November 14, 1990, and in accordance with the "General Statement of Policy and Procedure for NRC Enforcement Actions," 10 CFR Part 2, Appendix C, (1990) (Enforcement Policy) the following violations were identified:

1. 10 CFR 20.207(a) requires that licensed materials stored in an unrestricted area be secured against unauthorized removal from the place of storage. 10 CFR 20.207(b) requires that materials not in storage be under constant surveillance and immediate control of the licensee. As defined in 10 CFR 20.3(a)(17), an unrestricted area is any area access to which is not controlled by the licensee for purposes of protection of individuals from exposure to radiation and radioactive materials.

Contrary to the above, on Sundays since the previous inspection conducted on December 17, 1986, licensed material consisting of molybdenum-99/technetium-99m generators located in the unlocked imaging suite, an unrestricted area, were not secured against unauthorized removal, and were not under constant surveillance and immediate control of the licensee.

This is a Severity Level IV violation. (Supplement IV).

2. 10 CFR 35.50(e)(3) requires, in part, that the licensee retain records of quarterly linearity tests which include the signature of the RSO. 10 CFR 35.59(d) requires, in part, that a licensee retain records of leak test results which contain the signature of the RSO. 10 CFR 35.59(e) requires in part, that a licensee retain records of quarterly physical inventories of sealed sources which contain the signature of RSO. 10 CFR 35.59(i) requires, in part, that a licensee retain records of each quarterly ambient dose rate survey of sealed sources conducted which contain the signature of the RSO.

Contrary to the above, as of November 14, 1990, the licensee's records for quarterly linearity tests of the dose calibrator, leak test results, quarterly physical inventories of sealed sources, and quarterly ambient dose rate surveys of sealed sources did not contain the signature of the RSO. Specifically, the linearity test performed May 9, 1990; the leak test performed May 9, 1990; the sealed source inventories performed March 7, 1990; May 9, 1990, and August 15, 1990; and all sealed source ambient surveys since April 1, 1987, lacked the required RSO signature.

This is a Severity Level V violation (Supplement VI).

3. 10 CFR 35.21(a) requires, in part, that the licensee, through the Radiation Safety Officer (RSO), ensure that radiation safety activities are being performed in accordance with approved procedures. The licensee's procedures for safe use of radiopharmaceuticals are described in the application for license renewal dated March 26, 1986 and were approved by License Condition 16. of License No. 21-20137-01.

Item 15 of the March 26, 1986 application, "Rules for the Safe Use of Radiopharmaceuticals," prohibits eating, drinking, smoking, or the application of cosmetics in any area where radioactive material is used or stored.

Contrary to the above, on November 14, 1990 the NRC inspector observed food and drinks in an area where radioactive materials were used.

This is a Severity Level IV violation (Supplement VI).

4. 10 CFR 35.204(c) requires, in part, that a licensee retain records that include, for each elution or extraction of technetium-99m, the ratio of microcuries of molybdenum per millicurie of technetium and the initials of the individual who made the measurement.

Contrary to the above, on September 12, 1990, October 29, 1990, November 6, 1990 and November 12 - 14, 1990, among other dates, the licensee's records for elution of technetium-99m did not include the ratio of microcuries of molybdenum per millicurie of technetium. On November 13, 1990, among other dates, the licensee's records also failed to include the initials of the individual who made the measurement.

This is a Severity Level V violation (Supplement VI).

5. 10 CFR 35.21(a) requires, in part, that the licensee, through the Radiation Safety Officer (RSO), ensure that radiation safety activities are being performed in accordance with approved procedures. The licensee's procedures for training personnel who work with or in the vicinity of radioactive materials are described in the application for license renewal dated March 26, 1986 and were approved by License Condition 16. of License No. 21-20137-01.

Item 12. of the March 26, 1986 application, "Personnel Training Program" requires, in part, that all radiation workers and ancillary personnel whose duties require them to work in the vicinity of radioactive material receive instruction in certain specified topics and at specified

intervals including (a) before assuming duties with, or in the vicinity of radioactive materials, (b) during annual refresher training, and (c) whenever there is a significant change in duties, regulations, or terms of the license.

Contrary to the above, as of November 14, 1990, the licensee failed to train a custodian, who was observed by the NRC inspector working in the hot lab on November 14, 1990, in appropriate radiation safety procedures.

This is a Severity Level IV violation (Supplement VI).

6. 10 CFR 35.22(a)(3) requires that, for the licensee to establish a quorum and conduct business, at least one-half of the Radiation Safety Committee's membership must be present, including the Radiation Safety Officer and the management's representative.

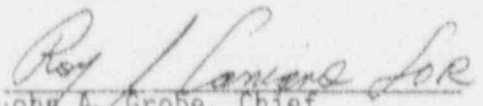
Contrary to the above, on four occasions the licensee's Radiation Safety Committee met and conducted business and a quorum was not established. Specifically, on May 18, 1988 and September 7, 1988, neither the Radiation Safety Officer nor the management's representative were in attendance at meetings. On February 10, 1988, the management's representative did not attend a meeting and on February 15, 1989 the Radiation Safety Officer did not attend a meeting.

This is a Severity Level V violation (Supplement VI).

Pursuant to the provisions of 10 CFR 2.201, you are required to submit to this office within thirty days of the date of this Notice a written statement or explanation in reply, including for violations 1 through 5: (1) the corrective steps that have been taken and the results achieved; (2) the corrective steps that will be taken to avoid further violations; and (3) the date when full compliance will be achieved. Consideration may be given to extending your response time for good cause shown. No response is required regarding violation 6.

DEC 27 1990

Dated _____


John A. Grobe, Chief
Nuclear Materials Safety Branch